

REMARKS

Reconsideration and withdrawal of the rejection and the allowance of all claims now pending in the above-identified patent application (*i.e.*, Claims 11, 12 and 15-17) are respectfully requested in view of the foregoing amendments and the following remarks.

At the outset, it should be recognized that the present invention, as now claimed, provides a hose reel assembly, which includes a hose reel spool having a riser there-through for providing a fluid path in combination with the unitary, or upright, support member of the invention. The upright support member, as now recited in Applicants' claims, includes a laterally extending motor and gearbox and hub to which the hose reel spool is connectable on only one side of the hub via a plurality of studs with an integrated frame housing being provided for the upright support member and the hose reel spool. In contrast to prior art assemblies, which generally provide spools for housing the hose mounted on a frame and supported between two axial bearing hub assemblies with cranking means located at one end, the presently claimed hose reel assembly has an automotive hub to which the hose reel spool is connected on only one side of the hub via a plurality of studs for ready placement and removal.

As will be explained in greater detail hereinafter, nowhere in the prior art is such a novel and efficient hose reel assembly, which includes a laterally extending motor and gearbox and hub, to which said hose reel spool is connectable on only one side of the hub via a plurality of studs, either disclosed or suggested.

By the present amendments, Applicants have amended independent Claim 11 (and all remaining claims via dependency) to now specify that hose reel spool of the invention is connectable, or able to be mounted, on only one side of the hub assembly via plurality of studs for ready replacement and removal.

Independent Claim 11 has also been amended to now recite the “unitary” support member as an “upright” support member, which is shown in the drawing figures as such and is submitted to be a more accurate form of terminology. No substantive change in the scope of Applicants’ claims is intended by this wording amendment.

The Specification has also been amended at Page 2, lines 7-11, to use the alternative “upright” support member terminology.

Finally, Page 4, lines 8-13, has been amended. This amendment of the Specification is the same amendment introduced in Applicants’ *Amendment in Response to the First Office Action*, filed March 23, 2009, which inadvertently referred to this amendment as being entered for Page 2, lines 8-13, rather than at Page 4. In Applicants’ earlier-filed *Response*, no amendment was intended for entry at Page 2 of the Specification. Applicants and their counsel apologize for any confusion resulting from the typographic error just discovered in Applicants’ prior *Amendment*.

Accompanying the present *Amendment in Response to the Final Office Action*, Applicants are filing a *Request for Continued Examination* and formal *Petition for a One-Month Extension of Time* for response, and remitting all required fees. Accordingly, the

“finality” of the last Office Action should be withdrawn and the foregoing amendments presented herein entered, and considered on their merits, as a matter of right.

Turning now, in detail, to an analysis of the Examiner’s prior art rejection, in the final Office Action the Examiner has again rejected independent Claim 11 and various dependent claims as being anticipated, pursuant to 35 U.S.C. §102(b), by Gear, U.S. Patent No. 2,301,208. It is the Examiner’s contention that the applied citation of Gear shows a hose reel with a hub (26), bearing and axle, at a lower portion of FIGS. 1 and 3, and a riser (40), along with spool sections (15, 18), thereby anticipating the combination of elements previously recited in independent Claim 11.

In reply to the Examiner’s anticipation rejection applying Gear, the applied reference discloses a hose reel apparatus that has a spool mounted between two hubs, as best shown in FIG. 1 of Gear. In contrast to that taught and suggested by Gear, the present invention, as now most broadly claimed and recited in Applicants’ Claim 11, includes an upright support member having “a laterally extending motor and gearbox and hub to which [the] hose reel spool is connectable on only one side of said hub via a plurality of studs” (emphasis added), rather than having the hose reel spool simply being conventionally connected and mounted between two hubs.

In view of the laterally extending arrangement of a motor and gearbox and hub, to which the hose reel spool is connected on only one side of the hub via a plurality of studs, as now claimed, it is respectfully submitted that the Examiner’s 35 U.S.C. §102(b) anticipation rejection of the final Office Action has been overcome and should now be appro-

priately withdrawn.

In view of the foregoing, it is respectfully contended that all claims now pending in the above-identified patent application (*i.e.*, Claims 11, 12 and 15-17) recite a novel and efficient hose reel assembly, which includes a laterally extending motor and gearbox and hub, to which the hose reel spool is connectable on only one side of the hub via a plurality of studs, which is patentably distinguishable over the prior art. Accordingly, withdrawal of the outstanding rejection and the allowance of all claims now pending are respectfully requested and earnestly solicited.

Respectfully submitted,

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- Enc.: 1. Petition for One-Month Extension of Time for Response;
2. *Request for Continued Examination*, pursuant to 37 C.F.R. §1.114; and,

(continued – next page)

3. EFT for \$470.00 (*Request for Continued Examination* filing fee + One-Month Extension Fee).

The Commissioner for Patents is hereby authorized to charge the Deposit Account of Applicant's Attorney (Account No. 19-0450) for any fees or costs pertaining to the prosecution of the above-identified patent application, but which have not otherwise been provided for.